

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LISA GARVEY,

No. C 11-02575 WHA

Plaintiff,

v.

**ORDER EXTENDING  
DISCOVERY DEADLINE**

KMART CORP.,

Defendant.

The Court has reviewed defendant Kmart's letter requesting an extension to submit the privilege log (Dkt. No. 42). The Court will extend the deadline as follows: Kmart shall submit a privilege log that identifies all privileged documents created before the date of this lawsuit's filing (April 11, 2011) by **NOON ON DECEMBER 9, 2011**.

Any further requests for extension will require a sworn declaration detailing the problem and explaining why counsel has failed to act with reasonable diligence. Kmart and its counsel knew long ago that a proper privilege log would be required. Any exigency is of their own making. Further requests for extension will be viewed with disfavor.

With respect to the second request in Kmart's letter, any subject matter categories in the privilege log shall be sufficiently detailed to permit an evaluation of the claimed privilege on a motion to compel.

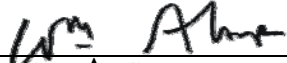
With respect to the last request in Kmart's letter, the Court has no way of knowing whether plaintiff is slipping new requirements into the Court's order. Plaintiff should

1 not do so. If need, the parties can request another discovery dispute hearing.

2 Next time counsel meet and confer in the jury room, they shall not leave the jury room  
3 before the hearing. They cannot leave to work on other cases.

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5 **IT IS SO ORDERED.**

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7 Dated: November 29, 2011.

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10 WILLIAM ALSUP  
11 UNITED STATES DISTRICT JUDGE  
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